

NOTIFICATION.

(LAW DEPARTMENT).

No. LAW 211 LOR 62, dated Bangalore, 27th November 1962.

Ordered that the accompanying Notification No. S.O. 3219, dated the 19th October 1962, of the Ministry of Commerce and Industry, issuing the Textile Machinery (Production and Distribution) Control Order, 1962, which has been published in the *Gazette of India*, Part II, Section 3, sub-section (ii), dated the 27th October 1962, be republished in the *Mysore Gazette*, for general information.

By Order and in the name of the Governor of Mysore,

S. SRIPADARAJ,

Under Secy. to Govt., L.D.

176

GOVERNMENT OF INDIA

MINISTRY OF COMMERCE AND INDUSTRY.

ORDER.

New Delhi, the 19th October 1962.

S O 3219.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following Order, namely.—

1. Short title, extent and commencement.—(1) This Order may be called the Textile Machinery (Production and Distribution) Control Order, 1962.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force at once.

2. Definitions.—In this Order, unless the context otherwise requires,

(a) “dealer” means a person carrying on the business of selling items of machinery;

(b) “machinery” means any textile machinery specified in Schedule I to this Order,

(c) “manufacturer” means a manufacturer of machinery,

(d) “Textile Commissioner” means the Textile Commissioner to the Government of India appointed by Central Government

3. Certificate of registration—Every manufacturer and every dealer shall, within fifteen days from the date on which this Order comes into force or, in the case of a manufacturer or dealer commencing business after that date, within 15 days of the commencement of such business, apply to the Textile Commissioner in Form ‘A’ specified in Schedule II to this Order for the grant of a registration certificate in Form ‘B’ of the said Schedule

Provided that the Textile Commissioner may grant such certificate to any manufacturer or dealer after the expiry of the said period on payment of such fee as may be prescribed by the Central Government from time to time.

4. Power to direct sale.—(1) The Textile Commissioner may, with a view to securing the equitable distribution of machinery, issue directions in writing to any manufacturer or dealer holding stock of machinery to sell or deliver specified quantities of machinery to specified persons, and the manufacturer or the dealer, as the case may be, shall comply with any such direction.

(2) In issuing a direction under sub clause (1), the Textile Commissioner shall have regard to the following matters, namely.—

(a) the requirements of the various categories of users of the machinery such as owners of factories engaged in the production of yarn,

persons holding licences for the establishment of such factories or persons holding licences for the expansion of the capacity of their existing factories;

- (b) the availability of the machinery in the country;
- (c) the need for securing adequate production of cloth and yarn.

5 Power to inspect, etc.—(1) The Textile Commissioner may, with a view to securing compliance with this Order,—

- (a) require any person in possession of machinery to give any information in respect of such machinery,
- (b) inspect or cause to be inspected any books, accounts or other documents in respect of the machinery belonging to or under the control of the person in possession of such machinery;
- (c) enter and search any premises and seize any machinery in respect of which he has reason to believe that a contravention of this Order has been committed.

(2) The provisions of Sections 102 and 103 of the Code of Criminal Procedure, 1898 relating to search and seizure shall, so far as may be, apply to searches and seizures under this clause,

(3) Every person who is required to give any information or produce any books or other documents under sub-clause (1) shall comply with such requisition.

6. Delegation of powers.—The Textile Commissioner may, by general or special order in writing, and with the approval of the Central Government, authorise any officer to exercise on his behalf all or any of his functions and powers under this Order.

SCHEDULE I.

[See clause 2(b)]

- (1) Blow Room machinery.
- (2) Carding Engines
- (3) Draw Frames.
- (4) Speed Frames.
- (5) Ring Frames.
- (6) Winding machines.
- (7) Doubling machines.
- (8) Reeling machines.
- (9) Bundling machines.
- (10) Baling machines.
- (11) Powerlooms.
- (12) Side frames of powerlooms.
- (13) Spare parts of powerlooms and ring frames.

SCHEDULE II

(See Clause 3)

FORM A

Application for registration Certificate from dealers

- (1) Name and address of the applicant.
- (2) Items of the Textile Machinery in which he is dealing
 - (a) whom he represents.
 - (b) Secondhand machinery
- (3) Whether he is paying Income-Tax and if so, the amount paid during the past two financial years.
- (4) Annual Turnover.

Signature of the Applicant.

Application for registration Certificate from manufacturers.

- (1) Name.
- (2) Items manufactured.
- (3) Whether licenced/Registered under I (D. and R.) Act.
- (4) Whether production returns are submitted to Textile Commissioner regularly.
- (5) Selling agents, if any
- (6) Annual Turnover
- (7) Production capacity in terms of value (annual).
- (8) Actual production during the past two years

Signature of the Applicant.

FORM 'B'

(See Clause 3)

Registration Certificate

No. _____

1. Name and address of Manufacturer/Dealer.
2. Items of Textile Machinery in which he is dealing.
3. Registration/Licence number issued under Industries (Development and Regulation) Act.

(for manufacturers only)

Place

Signature of the Registering Authority.

Date

[No. 22/34/62-TEX (B).]

T S. KUNCHITHAPATHAM, Dy. Secy.